



WILSON COUNTY BUILDING INSPECTOR
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The Wilson County Board of Zoning Appeals will meet **Thursday, October 15, 2020 at 9:00 a.m.** in the County Commission Room at the Wilson County Courthouse, located at 228 East Main Street, Lebanon, Tennessee.

Given Covid 19 related precautions, if you do not plan to attend the meeting and wish to comment, we will be accepting comments through mail or email. All comments must be received by **3:00 p.m., Wednesday, October 14, 2020**. Please send your comments to Wilson County Codes and Zoning Department, Attention Karen Murphy 233 East Gay Street Lebanon, TN 37087 or email karen.murphy@wilsoncountyttn.gov

If you plan on attending the meeting, we will be practicing social distancing and you may be asked to remain outside the meeting room until the case you are interested in is being heard.

The following cases will be heard:

CASE 3818 (Deferred from the September 17, 2020 meeting)

REQUEST: **Joseph Laster** is requesting to establish a legal lot of record and also needing a variance of ten (10) feet from the easement width requirement of thirty (30) feet. The variance will allow the applicant to replace the existing mobile home with a house. The property became of record in April 1987 along with the twenty (20) foot easement being recorded in Deed Book 403, Page 704 in April 1987. The property located at 9788 North Milton Road is Parcel 8.08 on Wilson County Tax Map 179. The property consists of 7.96 acres and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 3 GENERAL PROVISIONS - SECTION 3.20 GENERAL EXCEPTIONS - 3.20.01 SUBSTANDARD LOT OF RECORD. Where the owner of a lot of record is defined in Article 2, Definitions does not own sufficient land to enable him to conform to the yard and other requirements of this Resolution, such lot may be used as a building site by the same or a subsequent owner provided that the yard space and other requirements shall conform to the requirements for the zone in which it is located. The lot must have been of official record as of July 10, 1974. SECTION 3.40 NUMBER AND LOCATION OF BUILDINGS ON LOT - 3.40.03 No building shall be erected on a lot which does not continuously abut at least one public street for at least fifty (50) feet; the lot must be a minimum of fifty (50) feet in width to the building setback line. A lot with more than one-half (1/2) of its frontage on the bulb of a cul-de-sac lot must continuously abut the street for at least thirty (30) feet; the lot must be a minimum of thirty (30) feet in width to the building setback line. This section shall not apply to a lot of record (previously existing), with an easement of at least thirty (30) feet in width to a public street.

CASE 3824 (Deferred from the September 17, 2020 meeting)

REQUEST: **Leslie Eagleston** is requesting to establish two (2) dwellings on one (1) tract of land and use one (1) of the existing structures as an office for her business. The property located at 283 Davis Corner Road is Parcel 55 on Wilson County Tax Map 28. The property consists of 2.30 acres and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 2 DEFINITIONS - SECTION 2.20 SPECIFIC

TERMS - HOME OCCUPATION: An incidental occupation customarily carried on in the residence, employing no more than one (1) person not residing on the premise and utilizing no more than twenty-five (25) percent of the usable floor area of all buildings; provided, (1) no article or service be sold or offered for sale on the premise other than that produced by such occupation, and (2) such occupation shall not require the alteration of buildings, new construction, or equipment and machinery not customarily used in residential areas.

ARTICLE 3 GENERAL PROVISIONS - SECTION 3.40 NUMBER AND LOCATION OF BUILDINGS ON LOT - 3.40.02 With the exception of group housing developments, including mobile home parks, only one principal structure and its customary accessory structures shall hereafter be erected on any lot in any residential district or any residential lots in any agricultural district.

CASE 3826

REQUEST: Jeff Tunks is requesting a variance of twenty-one (21) feet from the rear yard setback requirement of forty (40) feet and a variance of approximately eleven thousand, seven hundred (11,700) square feet from the lot size requirement of forty thousand (40,000) square feet. The variance will allow the proposed addition to be nineteen (19) feet from the rear property line. The property located at 107 Linwood Road is Parcel 37 on Wilson County Tax Map 127. The property consists of approximately twenty-nine thousand, three hundred (29,300) square feet and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.05 AREA REGULATIONS - C. REAR YARD 1. For principal structures (not served by public sewer system) there shall be a rear yard of not less than forty (40) feet. [revised 12-13-93 revised resolution 07-7-4] - F. MINIMUM LOT AREA - 3. For each dwelling and buildings accessory thereto, not served by a public sewer system but served by a public water system, there shall be a minimum lot area of forty thousand (40,000) square feet;

CASE 3827

REQUEST: Garner Construction is requesting a variance of sixteen (16) feet from the rear yard setback requirement of forty (40) feet and a variance of approximately fifteen thousand, seven hundred (15,700) square feet from the lot size requirement of forty thousand (40,000) square feet. The variance will allow the proposed deck to be twenty-four (24) feet from the rear property line. The property located at 42 Cedar Grove Church Road is Parcel 64 on Wilson County Tax Map 50. The property consists of approximately twenty-four thousand, three hundred (24,300) square feet and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.05 AREA REGULATIONS - C. REAR YARD 1. For principal structures (not served by public sewer system) there shall be a rear yard of not less than forty (40) feet. [revised 12-13-93 revised resolution 07-7-4] - F. MINIMUM LOT AREA - 4. Each lot not served by a public sewer system but served by a public water system shall have a minimum lot area of forty thousand (40,000) square feet;

CASE 3828

REQUEST: Ricky Downing is requesting variance of fifteen (15) feet from the east side yard setback requirement of twenty (20) feet. The variance will allow the proposed garage to be five (5) feet from the east side property line and be in the side yard of the house. The property

located 1041 Greenvale Road, Lot 1, Kenneth Harris is Parcel 15 on Wilson County Tax Map 163. The property consists of 3.56 acres and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.05 AREA REGULATIONS 2. For single and two-story structures (served by public sewer system) located on interior lots, side yards shall be not less than fifteen (15) feet in width for a principal structure, and not less than ten (10) feet for an accessory structure. [revised resolution 15-2-12 - 4. Accessory structures shall not be located in any required side yard.

CASE 3829

REQUEST: **Chip Woods** is requesting a variance of twenty (20) feet from the rear yard setback requirement of forty (40) feet. The variance will allow the proposed pool including concrete to be twenty (20) feet from the rear property line. The property located at 309 Harbor Drive, Lot 2, Harbor Island is Group "A", Parcel 33 on Wilson County Tax Map 50 "A". The property consists of twenty-six thousand, eight hundred and eighty (26,880) square feet and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.05 AREA REGULATIONS - C. REAR YARD 1. For principal structures (not served by public sewer system) there shall be a rear yard of not less than forty (40) feet. [revised 12-13-93 revised resolution 07-7-4]

CASE 3830

REQUEST: **Casey Bohr** is requesting a variance of one (1) foot from the west side yard setback requirement of ten (10) feet. The variance will allow the proposed detached garage that was damaged in the tornado to be built back on the existing slab nine (9) feet from the west side property line. The property located at 209 Woodlawn Drive, Lot 49, Hillhurst Estates is Group "A", Parcel 11 on Wilson County Tax Map 53 "N". The property consists of forty-two thousand (42,000) square feet and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.05 AREA REGULATIONS - B. SIDE YARD 1. For single and two-story structures located on interior lots, side yards shall be not less than fifteen (15) feet in width for a principal structure, and not less than ten (10) feet for an accessory structure. [resolution 15-2-12]

CASE 3831

REQUEST: **Hailey and Brad Williams** are requesting to establish a hair salon in an accessory structure. The property located at 3070 Southeast Tater Peeler Road is Parcel 41.07 on Wilson County Tax Map 92. The property consists of 5.01 acres and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 2 DEFINITIONS - SECTION 2.20 SPECIFIC TERMS - HOME OCCUPATION: An incidental occupation customarily carried on in the residence, employing no more than one (1) person not residing on the premise and utilizing no more than twenty-five (25) percent of the usable floor area of all buildings; provided, (1) no article or service be sold or offered for sale on the premise other than that produced by such occupation, and (2) such occupation shall not require the alteration of buildings, new construction, or equipment and machinery not customarily used in residential areas.

CASE 3832

REQUEST: Larry Derossett is requesting to establish an Airbnb with a variance from the two (2) acre size requirement. Applicant is also requesting a variance of two and one half (2&1/2) feet from the front yard setback requirement of twenty-two and one half (22&1/2) feet from Oak Knoll Circle once the plat has been amended to revise the setback. Applicant is also requesting a variance of five (5) feet from the east rear yard setback requirement of ten (10) feet and a variance of six (6) feet from the south rear yard setback requirement of ten (10) feet. The existing accessory structure sets twenty (20) feet from the front property line on Oak Knoll Circle and five (5) feet from the east rear property line. The variance will allow an addition to be made to the existing shed and be four (4) feet from the south rear property line. The property located at 770 Vanderbilt Road, Lot 10, Hays Hill is Parcel 17 on Wilson County Tax Map 50. The property consists of 1.17 acres and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS – SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.03 USES PERMISSIBLE ON APPEAL - K. Bed and Breakfast Facility - 1. Bed and Breakfast Facilities must possess onsite caretaker either living on premises or on a premise within 10 Miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities shall also provide contact information for the local caretaker, as outlined in item 1 above, as well as, contact information for the actual owner of the property if different from the local caretaker. This information shall be provided to the County Sheriff's office, the County Building inspector, and the Wilson Emergency Management Agency. Such required contact information shall include Name, a Valid Mailing Address, Phone number and Email address for the Caretaker and the owner of the property respectively. This information will be required upon approval of any Bed and Breakfast use, as defined in the Wilson County Zoning Resolution, by the Board of Zoning Appeals and prior to commencing operations. 3. Bed and Breakfast facilities as outlined by the Wilson County Zoning Resolution shall be required to meet the rules of the Tennessee Department of Health division of Food and Sanitation Chapter 1200-23-2 titled bed and breakfast establishments, where deemed applicable by officials of the Tennessee Department of Health. 4. Bed and Breakfast facilities as outlined by the Wilson County Zoning Resolution shall be required to have viable sewer septic as determined by the Tennessee Department of Environment and Conservation. 5. All properties in which this use is approved must have a minimum of two (2) acres. 6. This use will be approved in increments with option to request renewal or extension at the end of that time period.

5.10.05 AREA REGULATIONS - B.SIDE YARD - 2. For corner lots created prior to March 5, 1990, there shall be a street side setback of not less than twenty-two and one-half (22 1/2) feet. [12/13/93] – C. REAR YARD - 3. For accessory structures there shall be a rear yard of not less than ten (10) feet.

CASE 3833

REQUEST: Steve Hamilton is requesting to establish a hobby gaming and supply business in a proposed accessory structure on A-1 Agricultural zoned property, this use will also constitute two (2) uses on one (1) tract of land. The property located at 2036 Sparta Pike; Barbara Gilbert Estate is Parcel 21 on Wilson County Tax Map 91. The property consists of 22 acres.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.02 USES PERMITTED - D. Home occupation as defined in Article 2 of this Regulation, including but not limited to day care, real estate agent, surveyor, physician, beautician, artist, and accountant. ARTICLE 2 DEFINITIONS - SECTION 2.20

SPECIFIC TERMS - HOME OCCUPATION: An incidental occupation customarily carried on in the residence, employing no more than one (1) person not residing on the premise and utilizing no more than twenty-five (25) percent of the usable floor area of all buildings; provided, (1) no article or service be sold or offered for sale on the premise other than that produced by such occupation, and (2) such occupation shall not require the alteration of buildings, new construction, or equipment and machinery not customarily used in residential areas.

ARTICLE 3 GENERAL PROVISIONS - SECTION 3.40 NUMBER AND LOCATION OF BUILDINGS ON LOT - 3.40.04 - With the exception of churches, farming and home occupations conducted within the principal structure, only one use shall be allowed per tract of land on any lot in a residential district or any residential lots in any agricultural district.

CASE 3834

REQUEST: Thomas Reed is requesting an extension on a building permit for one (1) to two (2) additional years for a single-family residence. The building permit was applied for October 5, 2018 with the last inspection being the foundation/basement walls inspection on March 29, 2019. The property located at 1425 Fuston Hollow Road, Lot 6, Barrett Property is Parcel 9.05 on Wilson County Tax Map 169. The property consists of 12.02 acres and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 6 ADMINISTRATION, ENFORCEMENT AND INTERPRETATION - SECTION 6.10 ENFORCEMENT - SECTION 6.20 BUILDING PERMITS, SITE PLAN REQUIREMENTS AND CERTIFICATES OF COMPLIANCE - 6.20.02 A building permit shall become void twelve (12) months from the date of issuance by the Building Inspector or the date an appeal is granted by the Board of Zoning Appeals, unless substantial progress has been made within those twelve (12) months on the project described therein. Substantial progress shall be determined by the request for and approval of subsequent required inspections from and by the Building Inspector respectively. In no case shall an active building permit for a residential dwelling last longer than 24 months without having received a certificate of compliance or other final approval as outlined within the Wilson County Zoning Resolution. If a permit recipient for a residential dwelling perceives that his construction project may last longer than 24 months, then special relief or variance from this provision will be required and the permit recipient will need to seek such relief from the Wilson County Board of Zoning Appeals. (resolution 18-11-13)

CASE 3835

REQUEST: Matthew Wynick is requesting a variance of two (2) feet from the maximum height requirement of twenty-two (22) feet. The variance will allow the proposed accessory structure to be twenty-four (24) feet in height in order to store his RV. The applicant does not wish to match the two (2) predominant roof pitch angles nor match the building material of the primary residential structure. The property located at 216 Dogwood Hills Drive, Lot 12, Dogwood Hills is Group "D", Parcel 2 on Wilson County Tax Map 101 "A". The property consists of 1.19 acres and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.05 AREA REGULATIONS - 5.20.06 HEIGHT REGULATIONS. Accessory structures shall not exceed twenty-two (22) feet in height OR they must match the predominant two (2) roof pitch angles of the residence if exceeding twenty-two

(22) feet. Other zoning district height criterion is still applicable if this option is exercised. If this option is exercised building material of accessory must match primary residential structure.
[revised resolution 15-2-13]

CASE 3836

REQUEST: **Danny and Lisa Chambers** are requesting a variance of eight (8) feet from the south side yard setback requirement of ten (10) feet in order to make an addition to an existing accessory structure. The existing accessory structure is two (2) feet from the south side property line. Applicant is also requesting a variance of approximately nineteen thousand, nine hundred (19,900) square feet from the lot size requirement of forty thousand (40,000) square feet. The property located at 408 Beacon Hill Drive, Lot 68, Glen Hills is Group "B", Parcel 13 on Wilson County Tax Map 31B. The property consists of approximately twenty thousand, one hundred (20,100) square feet and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.05 AREA REGULATIONS - B. SIDE YARD 1. For single and two-story structures located on interior lots, side yards shall be not less than fifteen (15) feet in width for a principal structure, and not less than ten (10) feet for an accessory structure.
[resolution 15-2-12] - F. MINIMUM LOT AREA - 4. Each lot not served by a public sewer system but served by a public water system shall have a minimum lot area of forty thousand (40,000) square feet.

Cc/file - Road Commission/Ground Water/Storm Water/Hutto/Jennings/Hatcher